

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
DAVID GUETIG)	
)	
Serial No.: 10/563,484)	Group Art Unit: Unknown
)	
I.A Filed: June 29, 2004)	Examiner: Unknown
)	
For: METHOD FOR THE DETECTION)	Confirmation Number: 1037
OF CYTOSINE METHYLATIONS)	
IN DNA BY MEANS OF)	
CYTIDINE DEAMINASES)	

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

COMMUNICATION REGARDING FEES ALLEGED TO BE OWED

In the Notification of Missing Requirements mailed May 1, 2006, in connection with the above-identified application, the Patent Office states that, amongst other things, Applicant must submit "additional claim fees of \$900 as a non-small entity," together with "a surcharge...of \$130 for a non-small entity." Later in the Notification, the Patent Office states that the \$900 claim fees are attributable to "\$400 for 2 independent claims over 3" and "\$500 for 10 total claims over 20."

In response to the above, Applicant respectfully submits that the \$900 fee allegedly owed is in error and that the \$130 surcharge allegedly owed should be \$65. This is because Applicant claimed small entity status for the present application at the time of U.S. national entry. As such,

the fees owed by Applicant at U.S. national entry were 50% of the following fees: (i) Basic filing fee - \$300; (ii) Examination fee - \$200; (iii) Search fee (ISR provided to USPTO) - \$400; (iv) Fee for claims over 20 claims - \$500; and (v) Fee for extra independent claims - \$400. The total of the foregoing fees is \$1800; accordingly, the amount that was owed by Applicant at national entry was \$900. Since Applicant submitted, at the time of national entry, a check in the amount of \$900, no additional filings fees should be due. Notwithstanding the above, a surcharge of \$65 for late-filing of the Declaration is owed and is submitted herewith.

If there are any fees due in connection with the filing of this paper that are not accounted for, the Examiner is authorized to charge the fees to our Deposit Account No. 11-1755. If a fee is

required for an extension of time under 37 C.F.R. 1.136 that is not accounted for already, such an extension of time is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

Kriegsman & Kriegsman

By: 

Edward M. Kriegsman
Reg. No. 33,529
30 Turnpike Road, Suite 9
Southborough, MA 01772
(508) 481-3500

Dated: August 1, 2006

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 1, 2006.



Edward M. Kriegsman
Reg. No. 33,529

Dated: August 1, 2006



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/563,484	David Guetig	82498

INTERNATIONAL APPLICATION NO.

PCT/EP04/07052

I.A. FILING DATE	PRIORITY DATE
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06/29/2004

07/04/2003

23685

KRIEGSMAN & KRIEGSMAN
 665 FRANKLIN STREET
 FRAMINGHAM, MA 01702

CONFIRMATION NO. 1037

371 FORMALITIES LETTER



OC000000018646721

Date Mailed: 05/01/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/05/2006
- Copy of the International Search Report filed on 01/05/2006
- Copy of IPE Report filed on 01/05/2006
- Preliminary Amendments filed on 01/05/2006
- Information Disclosure Statements filed on 01/05/2006
- Biochemical Sequence Listing filed on 01/05/2006
- Request for Immediate Examination filed on 01/05/2006
- U.S. Basic National Fees filed on 01/05/2006
- Priority Documents filed on 01/05/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$900 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$1030 for a Large Entity:

- \$130 Surcharge.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- Total additional claim fee(s) for this application is \$ 900
 - \$400 for 2 independent claims over 3.
 - \$500 for 10 total claims over 20.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

INDIA L EVANS

Telephone: (703) 308-9140 EXT 212

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/563,484	PCT/EP04/07052	82498

FORM PCT/DO/EO/905 (371 Formalities Notice)

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TRANSMITTAL LETTER

Inventor: David Guetig
Serial No: 10/563,484
I.A. Filed: June 29, 2004

Examiner: Unknown
Group Art Unit: Unknown
Confirmation No: 1037

For: METHOD FOR THE DETECTION OF CYTOSINE METHYLATIONS IN DNA BY MEANS
OF CYTIDINE DEAMINASES

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

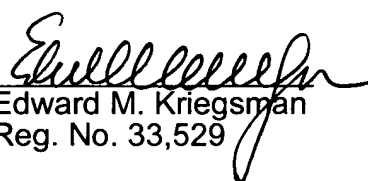
Transmitted herewith for the above-identified patent application are the following:

A Notification of Missing Requirements dated May 1, 2006
A Communication Regarding Fees Alleged To Be Owed
A Declaration
A Sequence Listing Transmittal and Statement
A Sequence Listing on paper
A Sequence Listing in computer readable form
A copy of International Preliminary Report on Patentability
A check for \$125 (\$65 - declaration surcharge; \$60 - 1-month extension of time)
A return postcard

The item(s) checked below are appropriate:

1. ☒ Applicant(s) hereby petition(s) for a one (1) month extension of time to respond to a Notification of Missing Requirements dated May 1, 2006.
2. ☒ Please charge any fees or costs not accounted for to Deposit Account No. 11-1755.
3. ☒ Applicant is a small entity.

Date: August 1, 2006


Edward M. Kriegsmann
Reg. No. 33,529

KRIEGSMAN & KRIEGSMAN
30 Turnpike Road, Suite 9
Southborough, MA 01772
(508) 481-3500

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Edward M. Kriegsmann

08/07/2006 HKAYPAGH 00000123 10563484

01 FC:2617 65.00 OP

08/07/2006 HKAYPAGH 00000123 10563484

02 FC:2251 60.00 OP